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Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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NSD File No. L-99-90
FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of

Missouri Public Service Commission's
Petition for Additional Delegated
Authority to Implement Number
Conservation Measures in the 314, 417,
573, 636, 660 and 816 Area Codes

Implementation of the Local Competition
Provision of the Telecommunications
Act of 1996

CC Docket No. 96-98

COMMENTS OF SBC COMMUNICATIONS INC.

SBC Communications Inc. (SBC) recognizes the public concern underlying the Missouri Public Services Commission's (MPSC's) request to implement certain area code conservation measures. SBC shares those concerns, but advocates a national approach which it believes can be implemented more quickly and more effectively than an individual state approach as proposed by the MPSC. Because the MPSC's proposal is both broad and undefined, there is a substantial risk that it will usurp substantial resources which would otherwise be dedicated to implementing a national numbering conservation plan. Accordingly, SBC recommends that the Commission not grant additional delegated authority to the Missouri Public Service Commission (MPSC) to implement area code conservation measures in advance of a national policy on number resource optimization.

The MPSC seeks delegated authority to implement the following: (1) thousands-block pooling trials; (2) establish usage thresholds; (3) reclaim unused and reserved NXX codes, and portions of those codes;¹ (4) establish numbering allocation standards; (5) require sequential

¹ The North American Numbering Plan Administrator (NANPA) already has authority to reclaim unused and reserved NXX codes (or portions thereof), and SBC urges the MPSC to work with the NANPA to accomplish reclamation in accordance with industry guidelines.

number assignment; (6) hear and address claims of carriers seeking numbering resources outside of the rationing process; (7) maintain rationing procedures for six months following area code relief; (8) require submission of utilization data from all carriers; (9) implement NXX code sharing; and (10) audit carriers' use of numbering resources. The MPSC states that it has not determined which of the requested conservation measures is best for Missouri's area codes.

I. General Opposition

As SBC has previously demonstrated to the Commission in relation to other state petitions, the continued practice of granting state commissions interim authority to adopt number conservation measures, which will subsequently be superseded by a federal mechanism, places an unwarranted strain on carrier resources. Carriers subjected to conflicting state commission demands are simply unable to comply with these multiple dictates.

SBC is sympathetic to the plight of the MPSC and other state commissions, but the answer to this predicament is the expeditious release of a national policy, not the piecemeal adoption of state practices.

However, if the Commission is inclined to grant individual state commissions the authority to adopt interim number optimization measures, it should require the states to define in detail the measures which they intend to implement. Only by approving narrow requests to trial specific conservation measures can the Commission ensure that resources are not diverted in a manner that delays adoption and implementation of a national policy. Moreover, to avoid undercutting its eventual federal policy, the Commission must be assured, based on an independent review, that proposed state trials will not severely impair the deployment of a national pooling solution. This review should be a pre-condition to the granting of the MPSC Petition and any additional state petitions. Inherent in this review should be evidence that the measures proposed would not subject carriers to conflicting and burdensome regulation by multiple state commissions.

The MPSC has not provided the Commission with those details and has instead requested a broad grant of authority. Thus, the Commission has no ability to evaluate the reasonableness of the MPSC's request and cannot in any way determine whether or not the proposed Missouri measures will interfere with or conflict with the Commission's eventual national number optimization policies.

II. Specific Points

The characterization of the request to conduct number pooling "trials" misstates the long-term and significant impact of such measures. These "trials" are more accurately described as the advance deployment of number pooling without the benefit of NPAC 3.0 and Efficient Data Representation (EDR). The claim that no real harm will result because state actions will be superseded by the national policy fails to recognize that implementation of these "interim" practices has the potential to create conflicting policies among state jurisdictions and policies that will conflict with the national program. Moreover, any perceived benefit from such trials must also be weighed against the likelihood that these "trials" will not be fully implemented until after the release of the Commission's national policy.

Sequential number assignment should be limited to sequential thousand-block assignment. Individual sequential number assignment would create a costly and administrative nightmare. Even in the case of sequential thousand-block assignment, exceptions should be permitted so carriers can meet the needs of major customers.

SBC is opposed to the proposal to maintain rationing procedures for six months following the implementation of area code relief. Once that relief has been implemented, there will be no need for rationing because the area code will have been relieved and numbers will no longer be in jeopardy.

If the Commission grants the MPSC's petition, it should stress that the delegated authority is conditioned on the MPSC's following the principles and standards set by the Industry Numbering Committee. It should also require that the MPSC establish an NPA relief

back-up plan, consistent with the Commission's previous Orders, for any NPA where delegated number conservation measures are implemented in an attempt to delay forecasted NPA exhaust. Moreover, the Commission should provide the MPSC with clear and unequivocal guidelines on the issues it raises with respect to number optimization.

III. Conclusion

Although the depletion of number resources is a matter of concern to regulators and industry members alike, the expenditure of resources to explore proposals which are not clearly defined will likely delay the national policy that is the best solution to this problem. Accordingly, SBC requests that the Commission not grant the MPSC's request for additional authority to implement number conservation measures for the 314, 417, 573, 636, 660, and 816 area codes in the State of Missouri and, in lieu thereof, requests the Commission to expeditiously establish a national policy on the conservation of numbering resources. At the November North American Numbering Council meeting it was suggested the Commission's Order on number conservation would be issued no later than March of 2000. SBC urges the Commission to address in its response to the MPSC's request a formal estimate for the release of its Order. This information could provide the states with valuable information in their deliberative process on number conservation measures. The MPSC's petition is vague and does not present sufficient information upon which to review, much less reach a reasoned decision, on a grant of additional delegated authority. If the Commission grants the MPSC's request, it should provide the MPSC with clear and specific guidelines.

Respectfully submitted,

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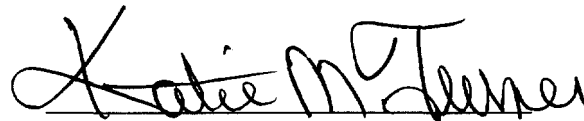
214-464-2217

Its Attorneys

January 7, 2000

CERTIFICATE OF SERVICE

I, Katie M. Turner, hereby certify that the foregoing "COMMENTS OF SBC COMMUNICATIONS INC." in NSD File No. L-99-90 and CC Docket No. 96-98 has been filed this 7th day of January 2000 to the Parties of Record.

A handwritten signature in black ink, reading "Katie M. Turner". The signature is written in a cursive style with a horizontal line underneath the name.

Katie M. Turner

January 7, 2000

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